IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2846 OF 2004

Master Anil Sitaram Kadam .. Petitioner
V/s
The Office Superintendent & Anr. .. Respondents

Mr.R.K.Jagdale for the Petitioner.
Mr.A.J.Bhor for the Respondents.

CORAM: F.I.REBELLO, &
S.P.KUKDAY, JJ.

DATE : 01.04.2005.

P.C.:

1. The petitioner and Smt.Godavari Ramchandra More who is a guardin and the maternal grand-mother of the petitioner, has filed the present petition for family pension. The case of the petitioner is that his father was in employment of the Respondents. He died whilst in service. His mother, thereafter was given employment in the office of the Respondents. She also expired whilst in service. It is the case of the petitioner further that, apart from him, there are two other brothers who are now major. Though the petitioner is entitled to family pension, the same has not been given to him.

2. The case of the Respondents is that no proper application is filed with them, and if such an application is filed, the Respondents will dispose of the same within a period of 12 weeks.

3. Considering the above, the petitioner is directed to make an application to the Administrative Officer of the Rajawadi Hospital with the particulars and documents within two weeks from today, and on so submitting, the Administrative Officer of the Rajawadi Hospital and the competent authority of the Corporation to pass the appropriate orders within a period of 12 weeks thereafter.

4. It is made clear that the pension will have to be paid including the arrears, if any, from the date when the petitioner became eligible for family pension.

5. If there are any other dues by way of terminal benefits to which the legal heirs of the deceased parents are entitled to, the same should be released in favour of the legal heirs as expeditiously as possible.

6. Rule is made absolute accordingly. No order as to costs.

(F.I.REBELLO, J.)

(S.P.KUKDAY, J.)